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SUBJECT: BOSNIA - HOUSE OF REPRESENTATIVES COLLEGIUM
NEGOTIATES RULES OF PROCEDURE

REF: 1) SARAJEVO 2518 2) SARAJEVO 2236

Classified By: Ambassador Charles Englih for Reasons 1.4 (B) and (D)

11. (C) SUMMARY: In separate meetings with the Ambassador on November 22, the three Speakers of the House of Representatives (HoR), known as the Collegium, each stated they were committed to amending HoR rules of procedure by December 1 in order to comply with the High Representatives October 19 measures. Serb Speaker Milorad Zivkovic questioned the purpose of the Lajcak measures, claiming that they would not really prevent obstruction of the legislative process but would propose an alternative solution to Lajcak's that would require chronically-absent deputies to be impeached. Bosniak Deputy Speaker Beriz Belkic said he was under pressure from Silajdzic and was being given very little latitude to negotiate. Croat Deputy Speaker Niko Lozancic said he has submitted two proposals that he asserted met OHR requirements. OHR rejected the first, but told us that "the logic contained in the (second) proposal could provide the basis for productive exchanges among the Collegium." The Ambassador urged the Speakers to negotiate in good faith and compromise, but reminded them that any agreement would be have to be consistent with Bosnia's constitution and the spirit of the High Rep's measure. He also reminded them that the House of Peoples must adopt similar amendments by December 1. END SUMMARY.

Negotiations on HoR Rules of Procedure Continue

12. (C) After learning that an agreement put forth by Croat Deputy Speaker Niko Lozancic was unacceptable to OHR (Ref A), the Ambassador held separate November 22 meetings with the three speakers/deputy speakers of the state-level House of Representatives (HoR), known collectively as the Collegium, to urge them to continue negotiating. (Note: The position of "speaker" rotates among the three ethnic groups, with the Serb member currently holding the title; his Croat and Bosniak colleagues are "deputy speakers." End Note) The Collegium members told the Ambassador they would seek to reach agreement on implementing Parliamentary rules of procedure that would conform with High Representative Miroslav Lajcak's October 19 measures. Each indicated that they were committed to ensuring that the new rules of procedure met the High Rep's requirements regarding quorums and decision-making.

13. (C) Bosniak Deputy Speaker Beriz Belkic (SBIH) told the Ambassador that he is committed to finding a compromise acceptable to OHR even though he is under pressure from Silajdzic and is paying a high price for his conciliatory approach. He added that he could not guarantee he would win Silajdzic's support for a compromise; if he failed to do so, he would have no alternative but to toe the SBIH line. Belkic told the Ambassador he was familiar with a second proposal submitted by Lozancic on November 21, but needed more time to analyze it. At a press conference later in the day, however, Belkic stated that he supported both the Lozancic and another proposal put forth by Serb Speaker Milorad Zivkovic (SNSD), but it would be up to OHR to determine if they were compliant with the Lajcak measures.

14. (C) Zivkovic said he was committed to reaching an agreement acceptable to all parties and to OHR. However, he questioned the purpose of the Lajcak measures, claiming that they would not really prevent obstruction of the legislative process. Even if delegates attend HoR sessions, decisions might still be blocked if sufficient delegates from each entity opposed them. Zivkovic asserted that the conditions of the Lajcak measures could be met by his proposal, which provides for the impeachment of deputies for two consecutive absences "without cause."

15. (C) Croat Deputy Speaker Niko Lozancic (HDZ) claimed he had received positive signals from OHR on his first proposal, which he asserted, met "ninety-five percent" of the Lajcak measures. (Note: OHR legal experts told us that it had met the HighRep's requirements regarding quorums but not those regarding decision-making. End Note) He then informed the Ambassador that he had tabled a second proposal on November 21 that met "one hundred and ten percent of HighRep Lajcak's

requirements." Lozancic went on to say that he and his colleagues would do their best to reach an agreement that they could put into Parliamentary procedure for a vote next week. He left open the possibility that the Collegium could ask the High Representative to extend the December 1 deadline to continue negotiations, but acknowledged that an extension also carries some risks since parties could try to drag out the process unnecessarily.

Ambassador Emphasizes Goodwill and Compromise

16. (C) The Ambassador urged each Collegium member to negotiate with goodwill and to compromise. He made clear that it was up to the High representative to determine as to whether a specific proposal met the October 19 measures. However, the Ambassador said he felt encouraged that the Speakers are bringing ideas to the table and pledged public support for their attempts to negotiate an agreement acceptable to all sides. He also reminded them that any agreement had to be consistent with Bosnia's constitution and the intent of the High Rep's measure. Delegates could not be allowed to obstruct the legislative branch by failing to attend sessions or refusing to vote on measures before it. The Ambassador also noted that the House of Peoples (HoP) must also amend its rules by December 1 and that party leaders in that institution should begin negotiations as soon as possible.

The View from OHR

17. (C) OHR is encouraged that the three speakers have begun a dialogue and has urged them to continue. OHR's legal experts told us that Lozancic's second proposal is consistent with the HighRep's requirements for quorum, but not for decision-making. However, the HighRep's cabinet-level legal advisor said "the logic contained in Lozancic's (second) proposal could provide the basis for productive exchanges among the Collegium." At a November 23 meeting with Quint Ambassadors, Lajcak urged them to press political leaders, in particular Tihic and Silajdzic, to back Belkic and to find a solution for the (upper chamber) House of Peoples as well.

Lajcak is particularly concerned that the Bosniaks will refuse to engage in good faith negotiations with the Serbs because they prefer that his October 19 measure be imposed without modification. Quint Ambassadors agreed to meet as a group with Tihic and Silajdzic to underscore that failing to engage with the Serbs would play in Dodik's hand by allowing him to claim that Bosniaks are uninterested in working with Serbs to resolve their political differences.

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